

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 16-cr-30044-MGM
)	
1] ALBERTO MARTE and)	
)	
8] JUAN PEREZ,)	
)	
Defendants.)	

ORDER REGARDING DEFENDANTS' MOTION TO COMPEL DISCOVERY
(Dkt. Nos. 341 [Perez] & 347 [Marte])

ROBERTSON, U.S.M.J.

In connection with ruling on Defendants' Motion to Compel Discovery, the court needs additional factual information to determine whether or not the United States Drug Enforcement Administration ("DEA") and Dominican law enforcement agents were engaged in a joint investigation when Defendant Marte's communications were intercepted by Dominican authorities pursuant to a Dominican judge's order(s). *See, e.g., United States v. Valdivia*, 680 F.3d 33, 51-52 (1st Cir. 2012). Accordingly, the government is directed to provide the court, by **February 14, 2018**, responses to the following inquiries in the form of an affidavit from a representative of the DEA with personal knowledge:

1. Did the DEA initiate the investigation in the Dominican Republic that led to the interception of Defendant Marte's communications with a target of the Dominican wiretap?
2. Did the DEA request that Dominican officials apply for the court order authorizing the Dominican wiretap that intercepted Defendant Marte's communications?

3. Did DEA agents supervise, direct, or control the Dominican wiretap that intercepted Defendant Marte's communications with a target of the Dominican wiretap?
4. Did DEA agents personally participate in intercepting and recording Defendant Marte's communications with a target of the Dominican wiretap?

It is so ordered.

Dated: January 23, 2018

/s/ Katherine A. Robertson
KATHERINE A. ROBERTSON
UNITED STATES MAGISTRATE JUDGE